

FILED
MAY 31 2007
RICHARD W. WHEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SBA

CURTIS LEE HENDERSON SR.

Plaintiff,

vs.

CALIFORNIA DEPARTMENT OF
CORRECTION AND REHABILITATIONS
ET AL.

Defendant.

C 07 - 2838
CASE NO.

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

SBA

(PR)

I, CURTIS LEE HENDERSON SR., declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: N/A

Net: N/A

Employer: N/A

If the answer is "no," state the date of last employment and the amount of the gross and net salary

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PAUPERIS, Case No. _____

1 and wages per month which you received. (If you are imprisoned, specify the last place of
 2 employment prior to imprisonment.)

3 LAST EMPLOYMENT IN 1990

4
 5
 6 2. Have you received, within the past twelve (12) months, any money from any of the following
 7 sources:

8 a. Business, Profession or Yes ___ No X
 9 self employment

10 b. Income from stocks, bonds, Yes ___ No X
 11 or royalties?

12 c. Rent payments? Yes ___ No X

13 d. Pensions, annuities, or Yes ___ No X
 14 life insurance payments?

15 e. Federal or State welfare payments, Yes ___ No X
 16 Social Security or other govern-
 17 ment source?

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
 19 received from each.

20 N/A

21

22 3. Are you married?

Yes ___ No X

23 Spouse's Full Name: N/A

24 Spouse's Place of Employment: N/A

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ N/A Net \$ N/A

27 4. a. List amount you contribute to your spouse's support: \$ N/A

28

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b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.)

N/A

5. Do you own or are you buying a home? Yes ___ No X

Estimated Market Value: \$ Ø Amount of Mortgage: \$ Ø

6. Do you own an automobile? Yes ___ No X

Make N/A Year N/A Model N/A

Is it financed? Yes N/A No N/A If so, Total due: \$ Ø

Monthly Payment: \$ Ø

7. Do you have a bank account? Yes ___ No X (Do not include account numbers.)

Name(s) and address(es) of bank: N/A

Present balance(s): \$ N/A

Do you own any cash? Yes ___ No X Amount: \$ Ø

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes X No ___

*1 TELEVISION \$500

8. What are your monthly expenses?

Rent: \$ Ø Utilities: Ø

Food: \$ Ø Clothing: Ø

Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
<u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
<u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
<u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>

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PAUPERIS, Case No. _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to whom
2 they are payable. Do not include account numbers.)
3 _____
4 _____

5 10. Does the complaint which you are seeking to file raise claims that have been presented in
6 other lawsuits? Yes X No _____

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which
8 they were filed.

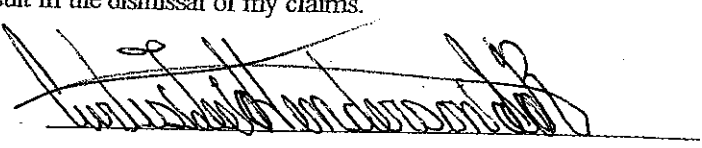
9 UNITED STATE DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
10 C 06-05541 SBA (PR)

11 I consent to prison officials withdrawing from my trust account and paying to the court the
12 initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and understand
14 that a false statement herein may result in the dismissal of my claims.

15
16 5-19-07

17 DATE

18 
19
20
21
22
23
24
25
26
27
28 SIGNATURE OF APPLICANT

Case Number: _____

CERTIFICATION OF FUNDS

IN

PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Curtis Lee Henderson H43488 for the last six months at Pelican Bay State Prison where he is confined.

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$16.67 and the average balance in the prisoner's account each month for the most recent 6-month period was \$33.22. (20% = \$6.65)

Dated: 5/16/07

L. West
Authorized officer of the institution



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
ATTEST: 5-16-07
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY J. Keppin
TRUST OFFICE

Case Number: _____

CERTIFICATE OF FUNDS

IN

PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of _____ for the last six months at

[prisoner name]

PELICAN BAY STATE PRISON where (s)he is confined.

[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ _____ and the average balance in the prisoner's account each month for the most recent 6-month period was \$ _____.

Dated: _____

[Authorized officer of the institution]

CALIFORNIA DEPARTMENT OF CORRECTIONS
PELICAN BAY STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: NOV. 01, 2006 THRU MAY 15, 2007

ACCOUNT NUMBER : H43488
ACCOUNT NAME : HENDERSON, CURTIS LEE
PRIVILEGE GROUP: D
BED/CELL NUMBER: AF01U 000000210L
ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

TRAN	DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
	11/01/2006		BEGINNING BALANCE					0.00
	12/27	D300	CASH DEPOSIT	2324 ML391		100.00		100.00
	ACTIVITY FOR 2007							
	01/02	W532	DAMAGES - PER	2385/1540			2.87	97.13
	01/03	W220	STATE FILING	2397 INI			0.75	96.38
	01/03	W220	STATE FILING	2397 12/27			20.00	76.38
	01/03	W212	FEDERAL FILIN	2397 12/27			20.00	56.38
	01/03	W536	COPAY CHARGE	2398M12/28			5.00	51.38
	01/04	FC06	DRAW-FAC 6	2423 A-2			45.00	6.38
	01/09	W516	LEGAL COPY CH	2508			1.40	4.98
	01/11	W512	LEGAL POSTAGE	2560			0.63	4.35
	01/11	W512	LEGAL POSTAGE	2560			4.05	0.30
	01/11	W512	LEGAL POSTAGE	2560			0.30	0.00
	01/30	FR01	CANTEEN RETUR	602787			15.40-	15.40
	01/30	W512	LEGAL POSTAGE	2789			4.20	11.20
	01/30	W512	LEGAL POSTAGE	2794			7.45	3.75
	02/02	W512	LEGAL POSTAGE	2891			1.59	2.16
	02/05	W502	POSTAGE CHARG	2920			2.16	0.00

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	100.00	100.00	0.00	0.00	0.00



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.

ATTEST: 5-16-07

CALIFORNIA DEPARTMENT OF CORRECTIONS

BY J. Klippan
TRUST OFFICE

CURRENT
AVAILABLE
BALANCE

0.00

PROOF OF SERVICE BY MAIL

(C.C.P. Sec. 101a #2015-5; 28 U.S.C. Sec. 1746)

I, CURTIS LEE HENDERSON SR, am a resident of Pelican Bay State Prison, in the County of Del Norte, State of California. I am over the age of eighteen (18) years and am a party to the above-entitled action.

My State Prison address is: Post Office Box 7500, Crescent City, California, 95531.

On the 24 day of MAY, 2007, I served the following (set forth the exact title of document(s) served):

APPLICATION TO PROCEED IN FORMA PAUPERIS

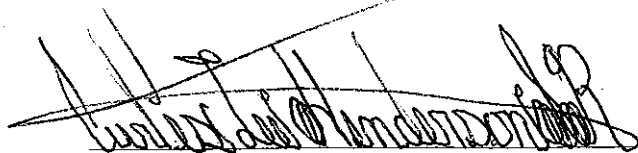
on the party(s) herein by placing a true copy(s) thereof, enclosed in a sealed envelope(s), with postage thereon fully paid, in the United States mail, in a deposit box so provided at Pelican Bay State Prison, Crescent City, California, 95531, addressed as follows:

UNITED STATES DISTRICT
NORTHERN DISTRICT OF CALIF
1301 CLAY ST SUITE 4005
OAKLAND CALIF 94612-5212

There is delivery service by United States mail to the place so addressed and/or there is regular communication by mail between the place of mailing and the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 24 day of MAY, 2007.



Declarant/Prisoner signature